

## **REMARKS**

In accordance with the foregoing, claims 1 and 71 are amended. No new matter is added. Claims 1, 14, 18, 22, 26 and 70-72 are pending and under consideration.

### **CLAIM RESTRICTIONS**

The Office Action deemed claims 1, 14, 18, 22, 26, and 71 constructively withdrawn because independent claims 1 and 71 as amended on February 1, 2007 included the phrase "before the consumer returns the image obtaining apparatus." Applicants respectfully disagree with the constructive restriction. As stated in the amendment filed on February 1, 2007, the claim amendment was supported by the figures and descriptions in the specification including FIG. 3 which was associated with the elected species. It is not proper to add limitations of the claims based on descriptions related to elected embodiments. The claim amendment intended to add a component of the apparatus, the image reader, which is represented in FIG. 3 and within the species. The additional language does not alter the structure but only describes a possible use. Patentability is not argued based on the additional language. Furthermore the specification does not describe explicitly or implicitly a feature equivalent to "before the consumer returns the image obtaining apparatus" relative to the non-elected species.

However, in order to have claims 1 and 71 entered and considered on the merits leaving no doubt they are within the scope of the elected species, Applicants amend the claim language herewith to recite, for example, "an image reader reading all the images from the image obtaining apparatus, obtained by the consumer while the consumer used the lent image obtaining apparatus." In view of the amended claim language, Applicants respectfully request reconsideration of the claims on the merits.

### **CLAIM OBJECTIONS**

Applicants respectfully submit that the term "raw" of the phrase "raw images" recited in claims 70 and 72 is merely a label intended to distinguish the images read from the image forming apparatus from the images further processed by the image recording apparatus or the image dispensing system, respectively. In view of the above clarification, Applicants respectfully request the objection to be withdrawn.

## CLAIM REJECTIONS UNDER 35 U.S.C. §102

In the Office Action, claims 70 and 72 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,469,536 to Blank (hereinafter "Blank").

Relative to claim 70, Blank does not disclose "an image reader reading image data corresponding to a **plurality of raw images** stored in an image forming apparatus removably connected to the image recording apparatus" (emphasis ours). The video frame grabber interface 912 of the imaging system 900 illustrated in FIG. 18 of Blank can acquire a **single** image (see FIGS. 19A-D and the associated description in Blank) from the image forming apparatuses connected therein, and is not an image reader reading a plurality of images.

The Office Action errs in asserting that "the image manipulator processing the image data to generate a plurality of processed images" recited in claim 70 is anticipated by the image system 900. The Office Action indicates the image system 900 as corresponding to the whole image recording apparatus of claim 70, and a component of the image system 900 (i.e. the video frame grabber interface 912) as corresponding to a component of image recording apparatus of claim 70. Indicating the whole image system 900 as anticipating another component of the image recording apparatus of claim 70 is then not logically coherent.

Therefore, Blank fails to teach or suggest every feature recited in claim 70, so that claim 70 is patentably distinct over the prior art.<sup>1</sup>

Relative to claim 72, Blank does not disclose "an image reading unit to read out raw **images** stored in an image forming apparatus which is temporarily connected to the image dispensing system" (emphasis ours). The video frame grabber interface 912 of the imaging system 900 illustrated in FIG. 18 of Blank can acquire a **single** image (see FIGS. 19A-D and the associated description in Blank) from the image forming apparatuses connected therein, and is not an image reading unit reading out raw images.

The Office Action errs in asserting that "the image processing unit to process the raw images according to a predetermined processing procedure to generate processed images" recited in claim 72 is anticipated by the image system 900. The Office Action indicates the image system 900 as corresponding to the whole image dispensing system of claim 72, and a component of the image system 900 (i.e. the video frame grabber interface 912) as

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<sup>1</sup> See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

corresponding to a component of image dispensing system of claim 72 (i.e., the image reading unit). Indicating the whole image system 900 as anticipating another component of the image dispensing system recited in claim 72 is then not logically coherent.

Since Blank fails to teach or suggest all the features of claim 72, claim 72 is patentable.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

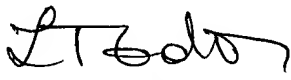
If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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